

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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In re:  
LIFE TIME FITNESS, INC.,  
TELEPHONE CONSUMER  
PROTECTION ACT (TCPA)  
LITIGATION

Case No.: 0:14-md-02564-JNE-SER  
MDL Docket No. 2564

**Motion for Final Approval of Settlement**

This document relates to:  
All actions

Plaintiffs Noah Peterson, Paul Sarenpa, Brandon Silva, and Catherine Gould  
("Plaintiffs"), individually and on behalf of each of the Settlement Class Members  
move for an order:

1. Granting final approval of the Settlement Agreement reached by the  
Parties and submitted herewith;
2. Finally certify, for settlement purposes only, the following class  
pursuant to Rule 23 of the Federal Rules of Civil Procedure:

All persons within the United States who received a  
text message from Life Time Fitness to a cellular  
telephone through the use of an online texting service  
from January 1, 2014 through April 15, 2014;

3. Issuing an order and final judgment in the forms proposed by the  
parties and submitted to chambers.

This motion is made on the grounds that: (1) the Settlement is fair,  
reasonable and adequate and is the product of extensive arms-length negotiations  
between the parties; (2) the Settlement Class meets all the requirements for

certification of a settlement class; and (3) the Notice Program has been adequate and reasonable, has satisfied all of the requirements of Fed. R. Civ. P. Rule 23(c)(2)(B) and (e)(B), due process, and constituted the best notice practicable under the circumstances.

This motion is brought pursuant to Fed. R. Civ. P. 23(e) and is based on this Motion; the Memorandum in Support of the Motion, submitted herewith; Declaration of Shawn J. Wanta; Declaration of Stefanie Gardella; the complete file and record in this Action; the argument of counsel; and such other and further evidence and argument as the Court may choose to entertain.

Dated: November 3, 2015

Respectfully submitted,

s/ Shawn J. Wanta  
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